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COLUMBIA, SOUTH CAROLINA

December 20, 2007

VIA ELECTRONIC FILING
AND HAND DELIVERED

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Public Service Commission of South Carolina
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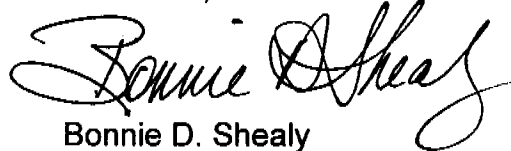
Re: Sterling Telecom, Inc.
Docket No. 2007-405-C
Our File No. 30418-0001

Dear Mr. Terreni:

Enclosed for filing please find the Testimony of Terry Wisecup on behalf of Sterling Telecom, Inc. Please date-stamp the extra copies of the testimony as proof of filing and return them with our courier. By copy of this letter, we are serving same on the Office of Regulatory Staff and the South Carolina Telephone Coalition. If you have any questions, please have someone on your staff contact me.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.



Bonnie D. Shealy

BDS/tch
Enclosures

cc/enc: Shealy Boland-Reibold, Esquire, ORS (via email & U.S. Mail)
F. David Butler, Hearing Examiner, PSC (via email & U.S. Mail)
Margaret M. Fox, Esquire (via email & U.S. Mail)
Ms. Terry Wisecup (via email & U.S. Mail)
Ms. Paula Schneider (via email & U.S. Mail)

This document is an exact duplicate, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

STATE OF SOUTH CAROLINA

IN THE MATTER OF

THE APPLICATION OF STERLING TELECOM,
INC. FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO PROVIDE
LOCAL EXCHANGE AND INTERCHANGE
SERVICE IN SOUTH CAROLINA AND FOR
FLEXIBLE AND ALTERNATIVE REGULATION

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2007-405-C

(Please type or print)

Submitted by: Bonnie D. Shealy

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigator	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: Testimony of Terry Wisecup	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
Docket No. 2007-405-C**

IN THE MATTER OF

THE APPLICATION OF)
STERLING TELECOM, INC.)
FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
PROVIDE LOCAL EXCHANGE AND)
INTEREXCHANGE SERVICES IN)
SOUTH CAROLINA AND FOR FLEXIBLE)
AND ALTERNATIVE REGULATION)

TESTIMONY OF TERRY WISECUP

This document is an exact duplicate, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

1 Q. PLEASE STATE YOUR NAME, TITLE, AND BUSINESS ADDRESS FOR THE
2 RECORD.

3 A. My name is Terry Wisecup and I am Vice President of Regulatory of Sterling Telecom, Inc.
4 ("Sterling" or "Company"). My business address is 242 Beverly Road, Huntington Station,
5 New York 11746.

6 Q. WHAT ARE YOUR RESPONSIBILITIES?

7 A. I am responsible for the legislative and regulatory affairs for the company's operations. My
8 job responsibilities include contract interpretation and compliance, research and preparation
9 of reports for regulatory agencies, as well as liaison to provide company current updates or
10 changes in regulatory rules and regulations both pending and newly ratified.

11 Q. PLEASE GIVE A BRIEF DESCRIPTION OF YOUR BACKGROUND AND
12 EXPERIENCE.

13 A. I joined Sterling in 2007 as Vice President of Regulatory. I have been employed in
14 telecommunications industry since 1986 in varied positions, with emphasis on operations and
15 as regulatory liaison. My experience includes working with PhoneTel Communications
16 which transcended into Davel Communications from 1989 through 2007 in various
17 managerial and regulatory positions, including Project Manager and Director of Regulatory.

18 Q. PLEASE BRIEFLY DESCRIBE YOUR COMPANY'S CORPORATE STRUCTURE.

19 A. Sterling is a corporation incorporated under the laws of the State of New York. Sterling is a
20 privately-held company, not affiliated with or a subsidiary of any other company.

21 Q. ARE YOU FAMILIAR WITH THE APPLICATION YOUR COMPANY SUBMITTED TO
22 THIS COMMISSION?

23 A. Yes.

24 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

25 A. The purpose of my testimony is to present evidence in support of Sterling's Application for

1 resold local exchange and interexchange authority by demonstrating that Sterling has the
2 ability to provide reliable telecommunication services throughout the State of South
3 Carolina, and by demonstrating why the granting of a Certificate of Public Convenience and
4 Necessity to Sterling is in the public interest.

5 Q. PLEASE DISCUSS THE MANAGERIAL ABILITY OF STERLING TO PROVIDE
6 TELECOMMUNICATIONS SERVICES IN SOUTH CAROLINA.

7 A. Sterling has been operating as a telecommunications carrier for six (6) years. Sterling's
8 personnel represent a broad spectrum of business and technical disciplines, possessing many
9 years of telecommunications experience. A detailed description of the background and
10 experience of its current management team was attached as Exhibit C to the Application in
11 this proceeding. Also, my qualifications and experience were described earlier in my
12 testimony.

13 Q. DESCRIBE STERLING'S FINANCIAL ABILITY TO OPERATE AS A
14 TELECOMMUNICATIONS CARRIER.

15 A. In support of Sterling's financial ability to provide the services sought herein, Sterling filed
16 its year to date financial statements with the Commission as Exhibit D to the Application in
17 this proceeding and its year end financial statements as Supplemental Exhibit D. At the time
18 of the hearing, if necessary, I will provide further testimony to support Sterling's financial
19 ability to provide the services outlined in the application.

20 Q. PLEASE DESCRIBE THE OPERATIONS OF THE COMPANY AND THE SERVICES IT
21 PROPOSES TO OFFER IN SOUTH CAROLINA.

22 A. Sterling was organized under the laws of the State of New York on August 9, 2001. The
23 Company proposes to offer competitive local exchange services throughout the BellSouth
24 service areas and interexchange services throughout South Carolina. Sterling proposes to
25 offer a variety of competitive local exchange services including basic service, custom-calling
26 features, and intraLATA toll services utilizing the incumbent local exchange carrier. In

1 addition, Sterling proposes to offer access services and operator services as more fully
2 described in the proposed illustrative tariff submitted with the application. Sterling does not
3 intend to offer interexchange services on a stand alone basis. We plan to target residential
4 and small to medium business customers. Customers who utilize our service will benefit
5 from our competitive price. Sterling's tariffs establish the rates, terms and conditions of the
6 Company's service offerings, including specific service requirements established by the
7 South Carolina Public Service Commission. The Company believes that its services are
8 competitive with similarly-situated service providers.

9 Q. HAS THE COMPANY EXECUTED A STIPULATION WITH THE SOUTH CAROLINA
10 TELEPHONE COALITION?

11 A. The Company anticipates it will receive the petition and proposed stipulation from the
12 Coalition and anticipates executing it since the company intends to offer services initially
13 only in BellSouth's areas.

14 Q. WHAT FACILITIES WILL STERLING USE TO PROVIDE ITS PROPOSED LOCAL
15 TELECOMMUNICATIONS SERVICES?

16 A. Sterling will be relying on the technical network capabilities of its underlying carrier(s) for
17 all network and transport facilities in the provision of access and egress for its local exchange
18 services.

19 Q. HAS YOUR COMPANY BEGUN NEGOTIATIONS WITH INCUMBENT LECS IN
20 SOUTH CAROLINA?

21 A. The Company intends to begin negotiations for a resale agreement.

22 Q. HOW WILL STERLING BILL FOR ITS SERVICES?

23 A. Sterling will bill customers directly for its services on a monthly basis.

24 Q. DOES STERLING PRESENTLY OFFER OR PROVIDE INTRASTATE SERVICE IN
25 SOUTH CAROLINA?

26 A. No.

1 Q. DOES THE COMPANY OFFER A DEBIT OR PREPAID CALLING CARD?

2 A. At this time, the Company will not be offering a debit or prepaid calling card service.

3 Q. HOW WILL STERLING MARKET ITS SERVICES?

4 A. Sterling will market its services through independent agents and advertising. When working
5 with independent sales agents, Sterling Telecom, Inc. oversees and assumes full
6 responsibility for their actions.

7 Q. DOES STERLING USE TELEMARKETING AS A METHOD FOR SELLING ITS
8 SERVICES?

9 A. No, Sterling does not use telemarketing.

10 Q. HOW ARE CUSTOMER INQUIRIES/DISPUTES HANDLED?

11 A. Sterling's customer service department is available to resolve any disputes. Customers may
12 reach the Company's customer service staff via its toll free number 1-866-425-7143 or via
13 facsimile at 631-427-6116, or by letter and the address listed on the bill. Customers may
14 escalate the dispute to the responsible contact person and may, of course, seek Commission
15 intervention if necessary. Sterling's employees embrace a strong customer service
16 orientation that makes meeting customer needs an absolute priority.

17 Q. WHO IS THE CONTACT PERSON AT THE COMPANY THAT THE COMMISSION
18 STAFF SHOULD CONTACT REGARDING CUSTOMER COMPLAINTS OR
19 REGULATORY ISSUES?

20 A. Thea Esposito is the person that the Commission should contact regarding customer
21 complaints or regulatory issues.

22 Q. IN WHAT STATES HAS STERLING RECEIVED AUTHORITY TO PROVIDE
23 SERVICES?

24 A. Sterling is authorized to provide local exchange service in New York.

25 Q. WHERE DOES STERLING CURRENTLY HAVE APPLICATIONS PENDING TO
26 PROVIDE SERVICES?

1 A. Sterling has applications for authority pending in Florida, Illinois, North Carolina, and Ohio.

2 Q. HAS STERLING EVER BEEN DENIED CERTIFICATION IN ANOTHER STATE?

3 A. No.

4 Q. HAS STERLING EVER BEEN SUBJECT TO ANY FEDERAL OR STATE
5 INVESTIGATION REGARDING ITS SERVICES?

6 A. No.

7 Q. WHY IS THE COMPANY SEEKING EXEMPTIONS FROM USOA, DIRECTORY
8 PUBLISHING, MAINTAINING RECORDS IN SOUTH CAROLINA, AND CERTAIN
9 REPORTING REQUIREMENTS?

10 A. We respectfully request that we be exempt from any Commission policy that might require a
11 carrier to maintain its financial records in conformance with USOA. As a competitive
12 carrier, we maintain our books in accordance with GAAP; and therefore, do not possess the
13 detailed cost data required by USOA. Sterling requests a waiver of the requirement of
14 publishing a local exchange directory. The Company will arrange with the incumbent
15 carriers for publishing its customers' numbers in the ILEC's directory. Sterling also requests
16 a waiver of the requirements of 26 S.C. Reg. 103-610 that a carrier keep all records required
17 by the Commission's rules and regulations with the State of South Carolina. Since the
18 Company's corporate records are in New York and it does not anticipate maintaining offices
19 or personnel in South Carolina, it would create an additional expense and be unduly
20 burdensome to maintain records in South Carolina. We will have a registered agent in South
21 Carolina and bear any costs associated with the Commission's inspection of our records and
22 books at our headquarters.

23 Q. IN YOUR OPINION, WOULD THE ISSUANCE OF A CERTIFICATE TO STERLING BE
24 IN THE PUBLIC INTEREST?

25 A. Sterling's proposed services will allow customers to obtain competitive services and rates.
26 Customers will benefit from Sterling's industry experience and innovative service offering

1 and billing options. Additionally, an increase in the traffic generated through the provision
2 of the Company's proposed intrastate services over existing facilities will help improve the
3 efficiency of those facilities and reduce the underlying carriers' costs in provisioning such
4 services. And the State of South Carolina will realize an increase in tax revenue. I believe
5 that Sterling will operate as the very type of responsible, solid telecommunications carrier
6 that the Commission wishes to enter the State of South Carolina.

7 Q. WILL THE SERVICE YOUR COMPANY INTENDS TO PROVIDE MEET THE
8 SERVICE STANDARDS OF THE COMMISSION?

9 A. Yes.

10 Q. WILL GRANTING YOUR APPLICATION ADVERSELY IMPACT THE AVAILABILITY
11 OF AFFORDABLE LOCAL EXCHANGE SERVICE?

12 A. By granting Sterling's certificate, the Commission will be fostering greater competition in
13 the local exchange telecommunication service markets. With additional competition,
14 existing providers will strive to offer services at the lowest rates and most innovative features
15 possible to attract new customers and retain existing customer bases.

16 Q. WILL YOUR COMPANY SUPPORT UNIVERSALLY AVAILABLE TELEPHONE
17 SERVICE AT AFFORDABLE RATES AS REQUIRED BY THE COMMISSION?

18 A. Yes, the Company will support Universal Service.

19 Q. IS STERLING REQUESTING RELAXED REGULATORY TREATMENT?

20 A. Yes. Since we will be a non-dominant, competitive provider of local exchange services, we
21 request that the Commission regulate our Company in the same relaxed fashion authorized in
22 Order No. 98-165 in Docket No. 97-467-C and extended to similarly situated carriers. We
23 understand that this flexible regulatory treatment requires that we file maximum rates for our
24 local service offerings. Local tariff filings would be presumed valid once they are filed
25 subject to the Commission's right to investigate the filing within thirty days.

26 Q. HAS STERLING REQUESTED ALTERNATIVE REGULATION OF ITS OPERATOR

1 SERVICE OFFERINGS?

2 A. Yes. Sterling requests that the Commission regulate these services in accordance with the
3 principles and procedures established for alternative regulation in Order Nos. 95-1734 and
4 96-55 in Docket No. 95-661-C which was approved for AT&T and other similarly situated
5 companies. It is our understanding that maximum rates would be eliminated for these
6 services. In addition, tariff filings are presumed valid upon filing, subject to the
7 Commission's right within seven days to begin an investigation.

8 We understand that the alternative regulation orders were modified by Order No.
9 2001-997 in Docket No. 2000-407-C so that rate caps for operator-assisted calls where a
10 consumer uses a local exchange carrier's calling card to complete calls from locations which
11 have not selected that local exchange carrier as their toll provider were reestablished. The
12 order imposed a maximum cap of \$1.75 for operator surcharges for such calls, and a
13 maximum cap of \$0.35 related to the flat per-minute rate associated with these calls.

14 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

15 A. Yes.

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 20007-405-C**

In Re:

The Application of Sterling
Telecom, Inc. For A Certificate of
Public Convenience And Necessity
To Provide Local Exchange And
Interchange Service In South
Carolina And for Flexible And
Alternative Regulation

CERTIFICATE OF SERVICE


This is to certify that I, Leslie L. Allen, a legal assistant with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Testimony of Terry Wisecup** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Shealy Boland-Riebold, Esquire
Office of Regulatory Staff
1441 Main Street, 3rd Floor
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Columbia, SC 29211

F. David Butler, Senior Counsel
Public Service Commission of South Carolina
P.O. Box 11649
Columbia, SC 29211

Margaret M. Fox, Esquire
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211

Dated at Columbia, South Carolina this 20th day of December, 2007.



Leslie L. Allen